

KELLER BENVENUTTI KIM LLP
Tobias S. Keller (#151445)
(tkeller@kbkllp.com)
Peter J. Benvenutti (#60566)
(pbenvenutti@kbkllp.com)
Jane Kim (#298192)
(jkim@kbkllp.com)
650 California Street, Suite 1900
San Francisco, CA 94108
Tel: 415 496 6723
Fax: 650 636 9251

Attorneys for Debtors and Reorganized Debtors

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

In re:

PG&E CORPORATION.

- and -

PACIFIC GAS AND ELECTRIC COMPANY,

Debtors.

- Affects PG&E Corporation
 - Affects Pacific Gas and Electric Company
 - Affects both Debtors

** All papers shall be filed in the Lead Case, No. 19-30088 (DM).*

Bankruptcy Case No. 19-30088 (DM)

Chapter 11

(Lead Case) (Jointly Administered)

**DECLARATION OF DAVID KRASKA IN
SUPPORT OF REORGANIZED DEBTORS'
TENTH OMNIBUS OBJECTION TO
CLAIMS (PLAN PASSTHROUGH
ENVIRONMENTAL CLAIMS)**

Response Deadline:
September 29, 2020, 4:00 p.m. (PT)

Hearing Information If Timely Response Made:

Date: October 13, 2020

Time: 10:00 a.m. (Pacific Time)

Place: (Telephonic Appearances Only)
United States Bankruptcy Court
Courtroom 17, 16th Floor
San Francisco, CA 94102

1 I, David Kraska, pursuant to section 1746 of title 28 of the United States Code, hereby declare
2 under penalty of perjury that the following is true and correct to the best of my knowledge, information,
3 and belief:

4 1. I am Chief Counsel, Environmental, at Pacific Gas and Electric Company (the “**Utility**,”)
5 and, with PG&E Corporation as debtors and reorganized debtors, the “**Debtors**,” or, as reorganized
6 pursuant to the Plan, “**PG&E**” or the “**Reorganized Debtors**” in the above-captioned chapter 11 cases
7 (the “**Chapter 11 Cases**”). I submit this Declaration in support of the *Reorganized Debtors’ Tenth*
8 *Omnibus Objection to Claims (Plan Passthrough Environmental Claims)* (the “**Omnibus Objection**”),¹
9 filed contemporaneously herewith.

10 2. In my current position, I am responsible for overseeing all substantive environmental
11 legal matters for PG&E. This includes matters related to licensing and permitting, compliance,
12 environmental remediation, and litigation arising under any Environmental Law as defined in the Plan.
13 I am generally familiar with all matters relating to the actions taken by and against the Utility pursuant
14 to any Environmental Law as defined in the Plan. Except as otherwise indicated herein, all facts set forth
15 in this Declaration are based upon my personal knowledge, the knowledge of other Utility personnel
16 working under and alongside me on this matter, my discussions with PG&E’s professionals and various
17 other advisors and counsel, and my review of relevant documents and information. If called upon to
18 testify, I would testify competently to the facts set forth in this Declaration. I am authorized to submit
19 this declaration on behalf of the Reorganized Debtors.

20 3. In the drafting and negotiation of the Plan, my team and I worked with AlixPartners, LLP
21 (“**AlixPartners**”), which provides interim management services to the Debtors and Reorganized
22 Debtors, to create a list of Environmental Claims under the Plan, comprising HoldCo Environmental
23 Claims and Utility Environmental Claims. For both types of Environmental Claims, holders are entitled
24 to pursue their claims against the Reorganized Debtors as if the Chapter 11 Cases had not been
25 commenced. This list formed the basis of Exhibit 1 to the Omnibus Objection.

26 4. The Omnibus Objection is directed at Proofs of Claim specifically identified in

27
28 ¹ Capitalized terms used but not otherwise defined herein have the meanings ascribed to such terms in
the Omnibus Objection.

Exhibit 1 to the Omnibus Objection, in the column headed “Claims To Be Expunged,” and referred to in the Omnibus Objection as “Plan Passthrough Environmental Claims.” **Exhibit 1** was prepared by the AlixPartners team from information provided by me, and I have reviewed it to confirm its accuracy. I am familiar with it, its contents, and the process under which it was prepared. To the best of my knowledge, information and belief, **Exhibit 1** accurately identifies each and all of the HoldCo and the Utility Environmental Claims designated as such in the Plan.

5. Each of the Plan Passthrough Environmental Claims identified on **Exhibit 1** will pass through the Chapter 11 Cases unaffected by the Plan, as provided for in sections 4.10 and 4.30 of the Plan. As stated expressly in these sections, these Claims are unimpaired, and the holders of these Claims are free to pursue them unaffected by the Plan.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief. Executed this 3rd day of September, 2020, in San Francisco, California.

/s/ David Kraska
David Kraska